



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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Michael O. Leavitt  
Governor  
Lowell P. Braxton  
Division Director

Copy to  
M/047/028

October 7, 1998

Robert J. Fausett  
P.O. Box 158  
Lapoint, Utah 84039

Re: Acceptance of Notice of Intention to Commence Small Mining Operations, Fausett Cedar Buttes #1 Project, S/047/067, Uintah County, Utah

Dear Mr. Fausett:

Thank you for your Notice of Intention to Commence Small Mining Operations, received by the Division on September 2, 1998. The application for the proposed Fausett Cedar Buttes #1 Project, located in the NW 1/4 NW 1/4 of Section 19, **T2N, R1E, USM**, Uintah County, Utah is complete and no additional information is required at this time.

Your project proposal is for the processing of tar sand materials on privately owned land for use in road paving. The tar sands materials to be processed are considered as waste from the adjacent large mine operation conducted by Duchesne County under Division file number M/047/028. Your project does not propose extractive mining of tar sands from the permit area identified in your notice.

The Utah Mined Land Reclamation Act of 1975 [40-8-7(I)] provides the authority for fee implementation which was approved by the Utah Legislature at its 1998 session. Commencing July 1, 1998, the fees are assessed to new and existing notices of intention, and annually thereafter. Small Mining Notices require a \$100.00 fee which must be received prior to initiating any mining activities. Thank you for enclosing the \$100.00 permit fee with your submission. Your small mine notice is now considered to be in effect.

The variance section on page four of your notice was left blank. The Division will interpret this to mean that no variances are requested for your proposed operation, therefore you will be required to fully comply with the Operation and Reclamation practices as described in the notice. If you wish to request a variance, you will need to provide a written request to the Division within 30 days from the date of this letter. Please note that a variance request is not required for those practices which apply to features which are nonexistent at your operation.

For your reference, please find enclosed copies of our summarized rules regarding "Operation and Reclamation Practices," and the statutory penalty for failure to reclaim a mine site (SMO-1). Please give special consideration to item #10 of the "Operation and Reclamation Practices. Stockpiling topsoil material prior to beginning your mining operation will help ensure successful revegetation efforts upon final reclamation of the mine site. If the area being mined is a solid rock outcrop, or if the land surface is

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very rocky, then soil stockpiling is probably not possible. However, even the first few inches of undeveloped material is worth saving to aid in later revegetation efforts, and future regulatory release from reclamation requirements.

Should you wish to expand your operation beyond the five (5) acre limitation, please notify this office as soon as possible to discuss the necessary permitting requirements. Approval of a large mining notice could take from six to twelve months or longer.

A Memorandum of Understanding between this Division and the State Department of Environmental Quality (DEQ) requires us to notify them upon receipt of a mining application. If you haven't already done so, you are advised to contact their office prior to starting your small mining operation to determine whether additional permits and/or approvals are required. We will forward a copy of this letter and your notice to the DEQ for their review. Their address and phone number is: Department of Environmental Quality, 288 North 1460 West, Salt Lake City, Utah, 84116, (801) 538-6146.

Approval of mineral exploration or mining operations by the Division of Oil, Gas and Mining does not constitute approval to commence operations upon lands under state mineral leases/school sections administered by the School and Institutional Trust Lands Administration, or federal lands managed by the Bureau of Land Management (BLM) or United States Forest Service (USFS). Before conducting mining operations on these lands, the operator must provide written notification, meet bonding requirements, and obtain written approval from the appropriate agency. School and Institutional Trust Lands Administration can be reached at: 675 East 500 South, Salt Lake City, Utah 84102; phone number (801) 538-5100. You will need to contact the appropriate BLM Resource Area or USFS Ranger District for their requirements.

Thank you for your cooperation. When in the area, a member of the Division staff will examine the site. Best wishes with your mining operation.

Sincerely,



Anthony A. Gallegos  
Senior Reclamation Specialist

jb  
Enclosure - Summary - SMO-1  
cc: Doug Nielsen, Duchesne County (M/047/028)  
Kiran Bhayani, DWQ w/NOI  
Roger L. Bon, UGS  
Tracking File  
s47-67.noi